



## STATE OF CONNECTICUT NEWS RELEASE

Consumer Counsel Elin Swanson Katz

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### **FOR IMMEDIATE RELEASE**

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### **CONSUMER COUNSEL GIVES OPENING STATEMENT IN SINGLE POLE ADMINISTRATOR PROCEEDING BEFORE PURA**

(December 2, 2013 – New Britain) Consumer Counsel Elin Swanson Katz today asked the Public Utility Regulatory Authority (“PURA”) to consider approving a plan for the central management of telephone poles throughout Connecticut.

In Docket Number 11-03-07, *DPUC Investigation into the Appointment of a Third Party Statewide Utility Telephone Pole Administrator for the State of Connecticut*, a Single Pole Administrator (“SPA”) plan is presented by the state’s electric distribution companies (“EDCs”), Connecticut Light and Power (“CL&P”) and United Illuminating (“UI”). This would create a system where, instead of telephone poles having several owners and maintainers, the electric companies would solely manage the poles.

A hearing on this matter will be held today at 10:30 a.m. in Hearing Room 1 at PURA, 10 Franklin Square, New Britain, CT 06051.

The Consumer Counsel believes that this new SPA process will result in a more informal and expedited process to resolve or even prevent rights-of-way disputes from arising by virtue of a transparent, equitable, and efficient attachment process. It is clear based on the evidence thus far presented to PURA over the course of several years of investigation, that the appointment of a single pole administrator could, among other things,

(i) facilitate coordination during both storms and on “blue sky” days between pole owners and the DOT, municipalities and third party pole attachers, and

(ii) create a single point of contact for pole administration issues.

It is thus urgent that this new management process for streamlining attachments to utility poles across this state be implemented on schedule in order to put Connecticut at the vanguard of all states in removing hurdles to competitive entry and making restoration of utility services the most efficient in the Nation.

### **Opening Statement of Consumer Counsel Elin Swanson Katz:**

When I was first appointed to this position, over two years ago – October 3, 2011, to be exact --one of the first issues that Bill Vallee of my office discussed with me was utility poles. We need to find a better way to manage access to the poles, maintenance of poles, repair of poles, and so forth, Bill said. He was advocating then for a single pole administrator (“SPA”). And once he explained what that entailed, it made sense to me, sounded like a good idea. Then, three weeks later, the October Nor’easter hit, and suddenly everyone else was talking about poles. How could they not, they were lying across roads and yards all across Connecticut. Suddenly, the single pole administrator idea sounded genius. The entire state saw the issue at hand in their own backyards: there were poles and wires down all over the state, and folks were asking, who’s in charge here? Because the current system involves ad hoc management of utility poles and wires, usually by multiple Pole Owners on each pole, there were many instances of confusion and delay in repairs, replacement of poles, and re-attachments.

The OCC has been advocating for central management of the state’s public rights of way for over a decade. It’s therefore an exciting moment today when we can present you with an efficient, effective plan for managing the poles, the attachments, and the attendant rights of way. This proposal represents years of hard work by a working group convened by this agency, although it’s certainly been a group effort, led by the Governor and his Two Storm Panel, which also supported the SPA concept. We were proud to serve on the PURA Working Group, which was composed of the electric companies, the telephone and cable companies, and municipalities. So we thank you for that effort and your leadership on that group.

This proposal is not just about storms, of course. The storms may have pushed this issue to the forefront, but there are equally important economic issues at play. We need to confront the problem of greater reliance by a growing number of attachers on access to the poles and other equipment in the public rights of way.

Perhaps most importantly, the Single Pole Administrator process, as proposed by the electric companies, will ensure nondiscriminatory access to the poles with fair and reasonable procedures and prices, and will encourage competition and expanded access to services for all residents, businesses, and municipalities.

It's clear, and you've seen the details in our testimony and other filings, that PURA has this authority, as you historically have had the authority to manage and control local rights-of-way, to ensure their safe and efficient use, and to plan for community needs and public services.

PURA will retain its statutory mandate and responsibility for management and resolving access disputes of the public rights of way, but having an expert manager such as an electric company to oversee the extensive and complex physical equipment in the public rights of way is a natural solution to this practical problem.

The electric utilities are the best positioned to manage the state's utility poles since, beyond their legal property rights in the equipment, they have economic and market incentives to perform these tasks effectively, efficiently, and expeditiously.

We have a chance to once again be a real leader on energy and utility issues. The appointment of a Single Pole Administrator will be a first-of-its-kind milestone statewide and across the Nation for advancing a more streamlined and responsive governance structure for the public rights of way.

PURA's actions in this Docket will also serve as a pioneering model as the FCC and industry stakeholders confront the massive changes imposed by the transition from circuit-based twisted pair copper technology to an Internet protocol broadband future, i.e., as we move from the kitchen phone to the smart phone. This change is already underway, and it's not a question of "if," but "when," and "how" – how are we going to respond to a new paradigm, to a new reality, and to new pressures and challenges in the public rights of way?

We live in a state and in a time that demands fast – fast changes, fast implementation, and a nimble government that can respond swiftly and fairly to changing conditions, whether they be massive storms, or surging demand for increasing internet bandwidth, or a town's desire to create wireless zones, all of which involve poles and wires and public rights of way. The Single Pole Administrator is certainly a key step in creating a more agile, reliable, and equitable management framework for the poles and the public rights of way, under PURA's direction. I thus urge you to support the EDC Proposals and the

Working Group's recommendations, and to issue an order requiring swift implementation of those SPA plans across the state.

Thank you for your time, and I am happy to answer any questions.

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*The Office of Consumer Counsel (OCC) is the State of Connecticut's advocate for all utility ratepayers. OCC seeks to ensure just and reasonable rates and reliable utility service for customers of Connecticut's electric, gas, telephone, and water utilities and reasonable protection for cable television customers. For more information, visit [www.ct.gov/occ](http://www.ct.gov/occ).*